

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1820

MILDRED CLOVIS,

Petitioner,

versus

FMC MINING EQUIPMENT DIVISION; DIRECTOR,
OFFICE OF WORKERS' COMPENSATION PROGRAMS,
UNITED STATES DEPARTMENT OF LABOR,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(01-689-BLA, 99-41-BLA)

Submitted: March 25, 2003

Decided: April 28, 2003

Before MICHAEL, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Timothy F. Cogan, CASSIDY, MYERS, COGAN, VOEGELIN & TENNANT, L.C.,
Wheeling, West Virginia, for Petitioner. Paul E. Frampton, BOWLES,
RICE, MCDAVID, GRAFF & LOVE, P.L.L.C., Charleston, West Virginia,
for Respondents.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Mildred Clovis seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C. §§ 901-945 (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Clovis v. FMC Mining Equip. Div., No. 01-689-BLA (BRB May 30, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED